



\$3624

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 03-1106-A)

In re the Application of:

Friesen et al.

Serial No. 09/651,301

Filed: August 20, 2000

For: User Interface for Semi-Fungible Trading

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Group Art Unit: 3624

Examiner: Jagdish Patel

Confirmation No. 2518

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:

- A. Information Disclosure Statement
- B. Form PTO 1449
- C. Cited References
- D. Return Receipt Postcard.

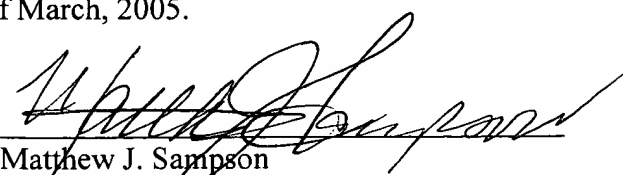
2. With respect to additional fees:

- A. No additional fee is required.
- ☒ B. Attached is a check in the amount of \$180.00

3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned also hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 22nd day of March, 2005.

By:


Matthew J. Sampson
Reg. No. 35,999



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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

U.S. PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20503
Tel: (703) 305-2000 Fax: (703) 305-2001

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97-1.98, and in accordance with the duty of candor set forth in 37 C.F.R. §1.56, applicants wish to make the following references of record in the above-identified application. Copies of the references cited below are enclosed along with a copy of completed PTO Form-1449 and fee pursuant to 37 C.F.R. § 1.97 (c) and 1.17(p).

I. DOCUMENTS

1. APT Brochure, LIFFE Exchange, circa 1990*
2. Trading Screen, INTEX of Bermuda, circa 1984*
3. Weber, Information Technology in the Major International Financial Markets, April 7, 1993
4. Trading Screen, TIFFE Exchange, circa 1989-1990*
5. Trading Screen, MEFF Exchange, circa 1990*
6. Cavaletti, Order Routing Article, Futures Magazine, February 1997
7. Aurora Article, CBOT, circa 1989*
8. One Click Trading Options, Trading Technologies, circa 1998
9. Trading Screen, SWX Exchange, circa 1990*
10. Expanding futures and options trading around the world, around the clock, GLOBEX, circa 1989*

11. Hansell, The computer that ate Chicago, Institutional Investor, February 1989
12. Globex Report: An update on the CME Global electronic exchange, February 10, 1989
13. NYMEX Access Documents, New York Mercantile Exchange, February 28, 1992
14. CATS Traders' Manual, Toronto Stock Exchange, September 30, 1977
15. Market Watch, Trading Screen, date not available
16. Grummer, Peake, Sellers, Preliminary Feasibility Study, Bermudex Ltd., November 1980
17. Peake, Mendellson, The ABCs of trading on a national market system, Appendix C of Preliminary Feasibility Study, Bermudex Ltd., September 1997
18. Peake, The last 15 meters, Appendix E of Preliminary Feasibility Study, Bermudex Ltd., June 15, 1997

II. DISCUSSION

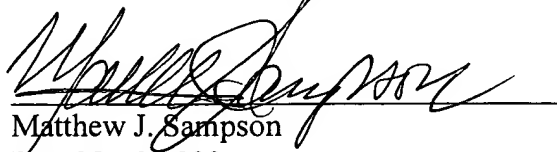
Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the Applicants wish to make the foregoing references of record in the above-identified application. These references were raised in connection with ongoing litigation involving U.S. Patents Nos. 6,766,304 and 6,772,132, which are commonly owned by Trading Technologies International Inc., in a lawsuit bearing the caption Trading Technologies International Inc. v. eSpeed Inc., Docket No. 04 C 5312, United States District Court for the Northern District of Illinois. Despite Applicants' belief that some or all of these references are cumulative of what may have already been cited, out of an abundance of caution Applicants are submitting these references.

No representation is intended as to the relative importance of any portion of the references, and this statement is not a representation that the cited references even constitute "prior art" within the meaning of 35 U.S.C. sections 102 or 103 nor as an admission that the information is considered to be material to patentability. It should be noted that the dates associated with those references marked with an asterisk ("*") are as provided by the Defendant eSpeed, Inc. in the above-referenced litigation. Applicants make no representation regarding the accuracy of these dates. Applicants submit that these documents, whether taken alone or in

combination with others previously of record, fail to show or suggest the claimed subject matter.

Applicants request that the Examiner consider the entirety of the documents and make them of record in this application.

Respectfully Submitted,



Matthew J. Sampson
Reg. No. 35,999

Date: March 22, 2005

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

03-1106-A

Serial No.

09/651,301



INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant:

Friesen et al.

Filing Date:

8/30/2000

Group:

3624

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation	
					Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	APT Brochure, LIFFE Exchange, circa 1990*
	Trading Screen, INTEX of Bermuda, circa 1984*
	Weber, Information Technology in the Major International Financial Markets, April 7, 1993
	Trading Screen, TIFFE Exchange, circa 1989-1990*
	Trading Screen, MEFF Exchange, circa 1990*
	Cavaletti, Order Routing Article, Futures Magazine, February 1997
	Aurora Article, CBOT, circa 1989*

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

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	Peake, The last 15 meters, Appendix E of Preliminary Feasibility Study, Bermudex Ltd., June 15, 1997
	Declaration of Brendan Bradley in Case No. 04 C 5312, November 18, 2004
	Memorandum Opinion Published February 9, 2005, of Judge James B. Moran in Case No. 04 C 5312

EXAMINER

DATE CONSIDERED

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